

**REMARKS/ARGUMENTS**

The present amendment is submitted in an earnest effort to advance the case to issue without delay.

Claims 23 and 24 were rejected under 35 U.S.C. § 112, second paragraph. These claims were said to be omnibus type claims impermissible in US practice. These claims have now been canceled.

Claim 22 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite in that it depends upon itself. Applicants have amended claim 22 so that it properly depends from claim 21.

Claims 1-4, 15 and 20-24 were rejected under 35 U.S.C. § 102(b) as anticipated by Compa et al. (US Patent 3,701,202). Applicants traverse this rejection.

An essential feature of the present invention is that of a **compressed** foam. This functions as a transfer means delivering a fabric treatment composition from a reservoir to fabrics for softening in a tumble dryer. Compression has several advantages relative to uncompressed foam. The compressed variety takes less time to charge (fill up) with treatment composition, and thereby is effective more quickly after initial installation. A compressed arrangement stiffens the foam. Staining of the fabric is reduced as a result of compression. Furthermore, compression reduces the size of the pores within the foam thereby enhancing transfer (by capillary action) of fluid composition to the whole foam surface via such pores. This arrangement avoids the fluid treatment composition

from gravity flow to a lowermost portion of the foam, thereby potentially leading to excessive amounts on the surface resulting in staining.

Compa et al. was introduced as teaching a method and apparatus for treating fabrics. This is taught to be accomplished through a device 20 for attachment onto the inside of a dryer drum 34. The drum comprises a reservoir 22 for holding a fabric conditioning liquid, inner flow control members 30, and transfer member 84. The latter is utilized to transfer conditioning liquid onto fabrics being rotated inside the drum 34. Transfer member 84 is a foamed polyurethane. Attention was drawn to Figures 4 and 9.

Apparently the Examiner has overlooked the word **compressed** serving as an adjective to the word foam. Applicants are not claiming a mere foam as a transfer member. The present invention is directed at a foam that has been compressed. A state of compression is not the normal state of a foam in a total relaxed position.

Compa et al. in the description of foam 84 is silent with respect to compression. Neither Figures 4-9 nor the text provide even the slightest hint that the foam 84 is placed under any stressed condition. There simply is no teaching or suggestion of a **compressed** foam or that compression would have any benefit. Absent this vital aspect of the present invention, Compa et al. could not possibly anticipate the claims. Novelty is not lacking.

Claims 5-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Compa et al. Applicants traverse this rejection.

Compa et al. is absolutely silent with respect to **compression** of the polyurethane foam disclosed therein. Applicants cannot see how the phrase "suitable porous material" cited by the Examiner (column 3, line 15) could have suggested anything to those skilled in the art about compressing a typical foam and maintaining this stress by locking it into the device.

A prima facie case of obviousness is lacking. Nowhere in the cited art is discussion of any **compressed** foam.

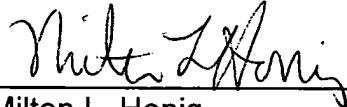
Claims 16-19 were rejected under 35 U.S.C. § 103(a) as unpatentable over Compa et al., and further in view of Hirota et al. (US Patent 5,072,526). Applicants traverse this rejection.

Hirota et al. does not remedy the basic deficiency of the primary reference. Neither Hirota et al. nor Compa et al. disclose a foam which has been compressed, and utilized in the compressed state as a transfer point between fabric treatment composition and distribution onto fabrics in a tumble dryer. Applicants have identified several substantial advantages to utilizing foam in a compressed state. Those skilled in the art would not have arrived at the present invention in consideration of the combination of references. None of these references teach, suggest or provide any incentive for using a **compressed** foam. The references simply do not present a prima facie case of obviousness.

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In view of the foregoing amendment and comments, applicants request the Examiner to reconsider the rejection and now allow the claims.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Milton L. Honig", written over a horizontal line.

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